

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GREGORIO JIMENEZ,
on behalf of himself and FLSA Collective
Plaintiffs,

Plaintiff,

-against-

LX 1204 JEWELRY INC,
KEVIN LEE and
SAM [LNU],

Defendants.

Case No. 19-CV-1908

STIPULATION OF CONDITIONAL
COLLECTIVE CERTIFICATION

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff GREGORIO JIMENEZ (“Plaintiff”) and Defendants (as defined below, and collectively with Plaintiff, the “Parties”), acting by means of their respective counsel, that:

(1) Defendants LX 1204 JEWELRY INC, KEVIN LEE and SAM [LNU], (collectively, “Defendants”) consent to a conditional collective certification for all non-exempt construction workers (or similar non-exempt employees such as sales representatives) employed by Defendants at any time between February 28, 2016 and the present (“Covered Employees”).

(2) Defendants will provide within ten (10) days of Court approval of this Stipulation, the names, titles, compensation rates, hours worked per week, period of employment, and mailing addresses, of all Covered Employees to the extent not otherwise provided;

(3) Defendants will provide, to the extent available, the email addresses and telephone numbers for any Covered Employees for whom notice mailings are returned as undeliverable;

(4) Plaintiff's counsel will mail the collective certification notice (attached hereto as Exhibit A), including Spanish translation, to Covered Employees within 10 days of receiving class information from Defendants;

(5) Defendants agree to equitable tolling of the FLSA statute of limitations from the date of this Stipulation until such time that Plaintiff is able to send notice to potential opt-in plaintiffs.

For Defendants:

By: 

[Defendants' counsel's info]

*For the Plaintiff, FLSA Collective Plaintiffs
and the Class:*

By: /s/ CK Lee

C.K. Lee, Esq.

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Date: July 24, 2019

Date: July 25, 2019

SO ORDERED,

Dated: New York, New York

The Honorable Judge Vernon S. Broderick, U.S.D.J.